

REMARKS

Claims 1, 13, 14, 16, 17 and 19-29 are pending in this application. By this Amendment, claims 2-12 are canceled and claims 1, 13, 16, 19, 24, 28 and 29 are amended.

The Office Action rejects claims 9-12 under 35 U.S.C. 101 for allegedly being directed to non-statutory subject matter. For purposes of expediting prosecution of this application, claims 9-12 are canceled without prejudice or disclaimer.

The Office Action rejects claims 1-29 under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,937,000 to Lee ("Lee").

The undersigned thanks the Examiner for his courtesies extended during the brief telephone interview on March 21, 2006. During that discussion, the Lee reference was discussed in connection with proposed amendments to the claims. In particular, the subject matter of claim 13 (as amended herein) was discussed as being distinguishable from Lee.

According to the present invention, a data communication technique is provided in which high power pulses are staggered in time such that the length of the time intervals between groups of the high power pulses represent synchronization information for the receiver. When the signal is transmitted from the transmitter to the receiver, the receiver monitors the time intervals between groups of the high power pulses to acquire the signal without resorting to other time-synchronization techniques. Furthermore, the duration of the time intervals between the high power pulses can be cryptographically controlled using a cryptographic key known to both the transmitter and the receiver.

Claims 1, 13, 16, 19, 24, 28 and 29 all describe, a technique or apparatus for transmitting (or receiving) a signal, wherein synchronization information for the signal is represented by the durations of time intervals between groups of chips (or pulses) at an increased power level relative to chips (or pulses) at a nominal or base power level. The time intervals between successive ones of said groups of higher powered pulses (or chips) is related to a cryptographic sequence and represents synchronization information for the signal.

AMENDMENT AFTER FINAL ACTION
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Lee does not suggest the concept of (transmitting or receiving) a signal that contains groups of higher power chips, wherein successive ones of the groups of higher power chips or pulses are separated by time intervals based on a cryptographic sequence to represent synchronization information for the signal.

For these reasons, it is respectfully submitted that claims 1, 13, 14, 16, 17 and 19-29 are in condition for allowance. The Examiner is cordially invited to telephone the undersigned in the event there are any further questions or comments.

Applicant hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee for such extension is to be charged to Deposit Account No. 05-0460.

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